

REMARKS

The Communication of March 7, 2008 indicated the Amendment papers filed on December 19, 2007 were non-compliant as:

The Programming “Perl” document filed on 12/19/2007 is not enough to qualify for Rule 130, 131 or 132, since: 1) it is written in Foreign Language without [correct] English translation; 2) Applicant failed to swear behind the document; 3) Applicant fails to provide the links between the document and the claims language. This is the second Notice of Non-Responsive Amendment.

The above-noted statement is improper in that the Amendment filed December 19, 2007 did **not** include a Rule 130, 131 or 132 Affidavit. Instead the papers filed December 19, 2007 were clearly labeled an “Amendment w/Attachment”. The document “Perl” referenced in the outstanding Communication was not submitted as part of a Rule 130, 131, or 132 Affidavit, but instead was just provided as an attachment for convenience of the Examiner since that document was noted in the specification at page 13, lines 3-5.

Applicants’ representative in trying to understand the outstanding Communication contacted Examiner Chen on April 3, 2008 to discuss why the previous Amendment filed December 19, 2007 was held non-responsive. During that discussion Examiner Chen pointed out the PTO PAIR system indicated the papers filed on December 19, 2007 included an Amendment/Remarks and a Rule 130, 131, or 132 Affidavit. Applicants pointed out that characterization in the PTO PAIR system was an error on the part of the PTO as no Rule 130, 131, or 132 Affidavit was submitted, and applicants again point out no paper filed on December 19, 2007 was labeled or had any indication whatsoever as a Rule 130, 131, or 132 Affidavit.

Again the basis for the outstanding Communication indicating the December 19, 2007 papers were non-compliant paper is based on an error in the PTO’s indexing of the papers

filed December 19, 2007 and is not based on the previous paper being non-compliant with any requirements.

Therefore, applicants submit the previous Amendment papers filed December 19, 2007 were proper and must be considered.

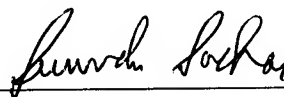
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